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MEMORANDUM ENDORSEMENT

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August 2, 2021

BY ECF

The Honorable Kevin Nathaniel Fox, U.S.M.J.
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: Skyline Risk Mgmt., Inc. v. Legakis, *et al.*
U.S.D.C., S.D.N.Y., No. 20-cv-08395-PGG-KNF

Your Honor:

This firm represents Defendants Yannis Legakis (“Mr. Legakis”) and Spartan Consulting LLC d/b/a Laconic Risk Solutions (collectively, “Defendants”) in the above-referenced action. In accordance with Your Honor’s July 23, 2021 Text Order, we respectfully submit this joint letter on behalf of the parties to provide an update on their progress in seeking to resolve this matter at and since the July 15, 2021 mediation.

Based on the parties’ progress to date, the parties also respectfully request that the Court adjust the current pretrial case management schedule. It is hoped that the additional time will permit the parties to reach an amicable resolution and serve to minimize the use of this Court’s finite resources.

On July 15, 2021, the parties’ authorized representatives and counsel met for a confidential mediation session pursuant to this Court’s Mediation Referral Order. (ECF No. 50.) While the July 15, 2021 mediation did not result in a settlement, the parties continue to explore settlement in earnest. Most recently, counsel conferred on July 30, 2021 (and again today) and agreed that an offer for the global resolution of all claims, counterclaims and third-party claims in the case would be provided this week by Skyline Risk Management, Inc. (“Skyline”). Based on this, Mr. Legakis has consented to extend Skyline’s time to respond to the Counterclaims from August 4, 2021 to August 18, 2021, and asks that the Court approve this extension.

Therefore, the parties respectfully submit that good cause exists under Federal Rule of Civil Procedure 16(b)(4) for the Court to extend the following pretrial case management dates:

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- Last day to add additional parties extended from August 1, 2021 to September 3, 2021;
- Last day for expert reports to be exchanged from August 6, 2021 to October 6, 2021.
- Last day to complete discovery extended from September 30, 2021 to November 15, 2021.
- Last day for the parties to submit their joint pretrial order in the event no dispositive motion is made, extended from October 29, 2021 to December 15, 2021.

With respect to the August 1, 2021 deadline to add additional parties, on July 7, 2021, Mr. Legakis filed his Third-Party Complaint asserting claims in the alternative against Skyline's owners, George Menexas, Steve Menexas and Maria Papaderos Kamas, as Executor of the Estate of Anthony Kamas ("Ms. Kamas"). (ECF No. 61.) In an abundance of caution, Mr. Legakis respectfully submits that, to the extent this Court deems it necessary under Federal Rule of Civil Procedure 14(a)(1), his time to seek leave to file the Third-Party Complaint is extended until September 3, 2021. *See Wright & Miller*, 6 Fed. Prac. & Proc. Civ. § 1454 (3d ed.) (citing *Colon v. Blades*, 268 F.R.D. 143 (D.P.R. 2010)).

Skyline consents to the filing of Mr. Legakis' Third-Party Complaint. Skyline's counsel has not yet confirmed whether they will accept service of the Third-Party Complaint on behalf of George and Steve Menexas, but has confirmed that they will not represent Ms. Kamas and therefore cannot accept service on her behalf.

We appreciate Your Honor's consideration of this request.

Respectfully submitted,

s/ Evangelos Michailidis
Evangelos Michailidis

8/18/21

The above-noted schedule is adopted by the Court and shall govern the parties' pretrial activities.

SO ORDERED:

Kevin Nathaniel Fox

Kevin Nathaniel Fox, U.S.M.J.

cc: All Counsel of Record (By ECF)